

MRD  
7/20/04

PATENT  
135830

Arm# (305c)  
cf  
7/22/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter R. Hull, et al.

Serial No.: 10/828,663

Filed: April 21, 2004

For: GAS TURBINE HEAT EXCHANGER  
ASSEMBLY AND METHOD FOR  
FABRICATING SAME

Group Art Unit: 3748

Examiner: Unassigned

RESPONSE TO NOTICE RE NASA

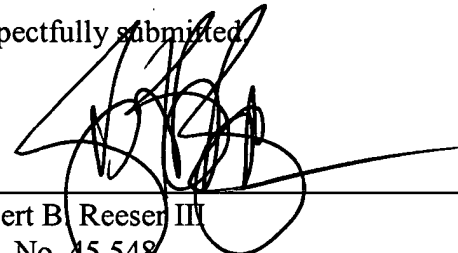
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn: Licensing and Review

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LICENSING & REVIEW

Sir:

In response to the Notice dated July 15, 2004 (copy attached), enclosed herewith is a Declaration Under Section 305(c) of the National Aeronautics and Space Act of 1958. This Declaration has been prepared and signed by the inventor(s), Peter R. Hull and Robert Vandermolen.

Respectfully submitted,



Robert B. Reeser III  
Reg. No. 45,548  
Armstrong Teasdale LLP  
One Metropolitan Square, Suite 2600  
St. Louis, MO 63012  
(314) 621-5070

135830  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter R. Hull et al.	:	
	:	Art Unit: 3748
Serial No.: 10/828,663	:	
	:	Examiner: Unassigned
Filed: April 21, 2004	:	
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For: GAS TURBINE HEAT EXCHANGER	:	ATTN: LICENSING AND REVIEW
ASSEMBLY AND METHOD FOR	:	
FABRICATING SAME	:	

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Alexandria, VA 22313-1450  
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LICENSING & REVIEW

**DECLARATION UNDER SECTION 305(c) OF THE  
NATIONAL AERONAUTICS AND SPACE ACT OF 1958**

Sir:

We, **Peter R. Hull** and **Robert Vandermolen**, do hereby declare:

That we are the inventors of the invention described and claimed in the above-referenced U.S. patent application;

That the invention was made while we were employed by the General Electric Company, the assignee of the subject invention, using facilities, equipment, materials, funds, information and services furnished by the General Electric Company;

That the invention set forth in the above-referenced U.S. Patent Application was not made (conceived or first actually reduced to practice) under nor is there any known relationship of the making of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration;

That all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

APR 16, 2004  
Date

Peter R. Hull  
PETER R. HULL

\_\_\_\_\_  
Date

\_\_\_\_\_  
ROBERT VANDERMOLLEN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter R. Hull et al.	:	
	:	Art Unit: 3748
Serial No.: 10/828,663	:	
	:	Examiner: Unassigned
Filed: April 21, 2004	:	
	:	
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That all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

\_\_\_\_\_  
Date

4/16/04  
Date

\_\_\_\_\_  
**PETER R. HULL**

Robert J. Vandermolen  
**ROBERT VANDERMOLEN**



**IFW**  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/828,663	04/21/2004	Peter R. Hull	135830

John S. Beulick  
Armstrong Teasdale LLP  
Suite 2600  
One Metropolitan Square  
St. Louis, MO 63102

EXAMINER	
ART UNIT	PAPER NUMBER
PATENT & TRADEMARK OFFICE	

**MAILED**

DATE MAILED:

**JUL 15 2004**

**LICENSING & REVIEW**

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A  
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

- ☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).
- ☒ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. *1/12/04*  
Date: *1/12/04*  
By: *mcc*

Any questions regarding this requirement should be directed to Licensing and Review at (703) 306-4191.

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE  
ATTENTION OF LICENSING AND REVIEW**

*12729-373*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter R. Hull, et al. :  
Serial No.: 10/828,663 : Group Art Unit: 3748  
Filed: April 21, 2004 : Examiner: Unassigned  
For: GAS TURBINE HEAT EXCHANGER ASSEMBLY :  
AND METHOD FOR FABRICATING SAME :

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER OF PATENTS AND TRADEMARKS**

Commissioner for Patents  
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Attn: Licensing and Review

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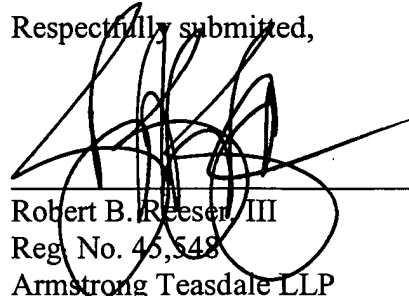
**RECEIVED**  
JUL 21 2004  
**LICENSING & REVIEW**

I hereby certify that the documents listed below:

- Response to Notice re NASA (1 page)
- Declaration Under §305(c) of the NASA Act of 1958 (4 pages)
- Copy of Request for NASA Declaration (1 page)
- Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Licensing and Review.

Respectfully submitted,

  
Robert B. Reeser III  
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